

**DEPARTMENT OF FISH AND GAME**

---

**LICENSE AGENT MANUAL**



# Table of Contents

## **SECTION I - LICENSE AGENT RESPONSIBILITIES, ACCOUNTS, SHIPMENTS, ORDERING AND SALES REPORTING**

License Agent Responsibilities	1
Types of License Agent Accounts	1
Consignment Accounts	1
Collect on Delivery (COD) Accounts	1
Item Validity and Expiration Date Table	2
Initial Shipments of Seasonal License Items	2
Initial Shipment Schedule	3
Ordering Items	4
Receiving Orders	4
Sales Reporting Requirements (Consignment Accounts)	5
Key Points of License Sales and Reporting	6
Preparing Monthly Sales Reports (Consignment Accounts)	6
Reporting Requirements for Lost or Destroyed Books (Consignment Accounts)	7
Reporting Requirements (COD Accounts)	7
Preparing Sales Reports (COD Accounts)	8
Sales Report Discrepancies (Consignment Accounts)	8
Delinquent Sales Reports (Consignment Accounts)	9
Check Acceptance Policy	9
Penalties and Interest (Consignment Accounts)	9
Key Points to Avoid Penalties and Interest (Consignments Accounts)	10
Inventory Statements (Consignment Accounts)	10

## **SECTION II - LICENSE AGENT COMPLIANCE**

License Agent Audits	11
License Agent Errors and Corrective Action Taken	12

<b>SECTION III - LICENSE SALES AND ISSUANCE PROCEDURES</b>	
License Sales Overview	16
Key Points of License Sales and Issuance	16
How to Sell and Issue License Items	16
Residency Requirements - Defined	16
Buying Licenses for Other People	16
Voiding License Items	17
Selling Duplicate Licenses	17
Refund Policy	17
Sales Restrictions on Specific Items	17
<b>SECTION IV – SPORT FISHING PROGRAM</b>	
Sport Fishing License Requirements	18
Summary of Sport Fishing Licenses	18
Summary of Sport Fishing Stamps	18
Summary of Sport Fishing Cards	19
Summary of Sport Fishing Licenses Sold Only at DFG	19
<b>SECTION V – HUNTING PROGRAM</b>	
Hunting License Requirements	20
Summary of Hunting Licenses	20
Summary of Waterfowl & Upland Game Bird Stamps & Permits	20
Summary of Hunting Tags and Applications	21
Summary of Hunting Licenses Sold only at DFG	22
Proof of Hunter Education	22
Hunter Education Classes	23
Hunter Education Equivalency Exam	23
DFG Regional Offices	23
<b>SECTION VI – QUESTIONS AND ANSWERS</b>	24
<b>APPENDIX – LAWS AND REGULATIONS AFFECTING AGENTS</b>	25

## Section I - License Agent Responsibilities, Accounts, Shipments, Ordering and Sales Reporting

### LICENSE AGENT RESPONSIBILITIES

As an authorized License Agent (Agent), you have entered into an agreement with the California Department of Fish and Game (DFG), to abide by the laws and regulations that govern the sale of hunting and sport fishing licenses and related items.

One of the most important functions an Agent performs is to ensure that licenses are sold and issued accurately. Therefore, persons responsible for Agent accounts must become familiar with the information contained in this manual and will be held accountable for ensuring that all rules, regulations and laws are followed in the sale and issuance of licenses and related items.

Agents must submit account closure requests and change of business or ownership data in writing to the DFG's Compliance Unit, at 3211 S Street, Sacramento, CA 95816, 30 days prior to closing the account or changing any business or ownership data.

**IMPORTANT:** All terms and conditions of this manual apply to **all** Agents regardless of account type, unless otherwise stated.

### TYPES OF LICENSE AGENT ACCOUNTS

At the time of application, or upon request, Agents have the option to select the type of Agent account that best meets the needs of their business and their customers. Below is a brief description of each type of account.

#### Consignment Accounts

A consignment account requires Agents to provide a Surety Bond (bond) to the DFG. License items are provided to Agents based upon the amount of their bond. Agents with a consignment account must report license sales and remit the fees collected from the sale of license items on a monthly basis.

Agents with consignment accounts are subject to penalty and interest charges if sales reports and monies are not submitted in accordance with Fish and Game Code Section 1055.5.

Agents with consignment accounts are also required to account for and maintain the fees collected from license sales separately from other funds of the Agent.

**Note:** The bond requirement may be waived after one year of compliance with all laws, regulations and policies governing the sale of sport fishing and hunting licenses, but may be reinstated at any time at the discretion of the DFG. To request a waiver of the bond requirement the Agent must submit a written request to the DFG's License and Revenue Branch, Compliance Unit, 3211 S Street, Sacramento, CA 95816.

#### Collect on Delivery (COD) Accounts

A COD account requires Agents to prepay for license items or pay for license items when they are delivered. Agents with a COD account are not required to provide a bond or submit monthly sales reports. At the end of each license season Agents with a COD account **are** required to return all sold book covers and submit a sales report with unsold licenses, so that credit may be issued (credit will not be issued for game bird seals). *Note: Pursuant to Section 1055 of the Fish and Game Code credit will only be issued if license items are returned within six months of the items expiration date as shown in Table 1.*

**TABLE 1 - ITEM VALIDITY AND EXPIRATION DATES**

Item Description	Date Valid Through	Expiration Date	Due Date	Deadline For Credit and Refunds*
Fishing Licenses, Stamps, and Cards and Bear Tag Applications	December 31	January 1	January 20	June 30
Deer Tag and Waterfowl Applications, Duck Stamps and Waterfowl Area Permits	January 31	February 1	February 20	July 31
Hunting Licenses, Pig Tags, Hunter Education and Upland Game Bird Stamps	June 30	July 1	July 20	December 30

***\*Important:** To receive a credit or refund for unsold license books all items must be postmarked by the deadline.*

### **INITIAL SHIPMENTS OF SEASONAL LICENSE ITEMS**

Prior to the beginning of each license season, initial shipments of sport fishing and hunting license items (revenue and nonrevenue items) are automatically sent to Agents with consignment accounts, as shown in Table 2. These initial license shipments are based upon a percentage of the Agent's prior year's sales. If there were no prior year's sales the minimum amount of licenses, based upon credit limit, will be shipped. If an Agent's credit limit does not allow for a full initial shipment of licenses, quantities will be reduced. DFG mails an order form to Agents with COD accounts prior to each license season to place their orders. A supply of regulation booklets are sent automatically to all Agents at the time of printing (if printed).

**IMPORTANT: Agents must begin selling license items upon receipt unless instructed otherwise by the DFG.**

**Table 2 - INITIAL SHIPMENT SCHEDULE**

MONTH SHIPPED	ITEM(S) SHIPPED	SHIPPED TO
March (every other year)	<ul style="list-style-type: none"> <li>• Sport Fishing Regulations*</li> </ul>	All Agents that Sell Fishing Items
April	<ul style="list-style-type: none"> <li>• Hunting Licenses</li> <li>• Deer and Bear Tag Applications</li> <li>• Wild Pig Tags</li> <li>• Upland Game Bird Stamps</li> <li>• Hunting Report Forms</li> <li>• Big Game Hunting Booklet*</li> </ul>	All Agents that Sell Hunting Items
May	<ul style="list-style-type: none"> <li>• Mammals and Furbearers Hunting Regulations (Part I)*</li> </ul>	All Agents that Sell Hunting Items
August	<ul style="list-style-type: none"> <li>• Resident and Migratory Game Bird Hunting Regulations (Part 2)*</li> </ul>	All Agents that Sell Hunting Items
August	<ul style="list-style-type: none"> <li>• State Duck Stamps</li> <li>• Waterfowl Permits</li> <li>• Waterfowl Reservation Applications</li> <li>• Waterfowl Regulations*</li> <li>• Waterfowl Report Forms</li> </ul>	All Agents that Sell Waterfowl Items
September	<ul style="list-style-type: none"> <li>• Hunting on State and Federal Areas Regulations*</li> </ul>	All Agents that Sell Waterfowl Items
November	<ul style="list-style-type: none"> <li>• Sport Fishing Licenses</li> <li>• Stamps/Cards</li> <li>• Fishing Report Forms</li> </ul>	All Agents that Sell Fishing Items

**(Footnotes)**

\* If printed.

## ORDERING ITEMS

Orders for additional license items, forms and regulations may be submitted by telephone, FAX or mail to the DFG's License and Revenue Branch, in Sacramento only. **License items shall not be obtained from any other venue (DFG office or other Agent).**

Telephone Orders: (916) 227-2253\*  
Fax Orders: (916) 227-0674  
Mail Orders: License and Revenue Branch  
3211 S Street  
Sacramento, CA 95816

\*Telephone orders may be placed 24-hours a day seven days a week. License orders placed on the License Agent Order Desk voice mail, after normal business hours, will be entered into the system for processing within two business days.

When submitting an order by mail or fax, please use an Agent Order Form and remember to provide your Agent account number, business name, telephone number and name of person placing the order.

### IMPORTANT

- Next day air services and Saturday delivery for license orders is not available.
- All walk-in business for Agents has been discontinued. This includes picking up license orders (i.e., licenses, applications, stamps, gamebird seals, etc.) and dropping off sales reports and license item books.

**Remember to check your license inventory often. Allow 15 business days for delivery of license orders, after your order is placed.**

## RECEIVING ORDERS

Upon receipt you **must** verify your order to ensure accuracy by completing the following steps:

1. Verify that the Agent information on the shipping report is correct (i.e., account number, agent name, address, etc).
2. Verify that the amount of license items received and the item book numbers match the shipping report.
3. Verify that the numbers on the book covers match the numbers on the licenses inside of each book. If there **are** discrepancies follow step 4. If there **are no** discrepancies proceed to step 5.
4. Write all discrepancies (i.e., missing books, books not listed on the shipping report, defective books) on the shipping report, and fax or mail a copy to the DFG's License Agent Order Desk, within five (5) business days of receipt of the order.

5. Write the date received and the name of the person verifying the shipment on the front of the shipping report.
6. Retain this report for your records.

**IMPORTANT: Claims of missing license items will only be considered if they are noted upon receipt and reported in writing to the DFG's License Agent Order Desk within five (5) business days of delivery.**

### **SALES REPORTING REQUIREMENTS (CONSIGNMENT ACCOUNTS)**

1. Reporting requirements are set by law in Fish and Game Code Section 1055. Failure to comply with these requirements is cause for termination of your License Agent status, and may result in a citation being issued (see page 25 for Laws and Regulations Affecting Agents).
2. A monthly sales report and remittance for all completely sold books must be submitted by the 20<sup>th</sup> of the month. A book is completely sold if there are no items remaining in the book that can be issued. Therefore, if a book contains 20 items and 18 of these items are sold and two are voided this book is completely sold. *If a license book is completely sold on or before June 30 then that book must be reported and fees remitted by July 20.*
3. Agents having no completely sold books to report must submit a zero (0) sales report for that month, by the 20<sup>th</sup> of the next month. *For example, if there were no completely sold license books in June then a sales report indicating zero sales must be submitted by July 20. This report can be submitted via fax to (916) 227-0674.*
4. Partially sold books and monies collected should be held until all license items from the book are sold or voided or until the end of the license year (whichever occurs first). Do not remit payments for partially sold books unless the books are being returned.
5. A voided or unsold license item **must** be attached to the book it was removed from to receive credit.
6. Partially sold **expired** license item books must be reported within 20 days following the item expiration date as shown in Table 1 on page 2.
7. Any fee remittance and accounting report not sent to the DFG and postmarked within 30 days following the last day of each calendar month is delinquent, and fees due are subject to penalty and interest charges. Penalty and interest charges will be computed beginning 21 days following the last day of the calendar month in which the fees were collected.
8. All reports must be submitted with remittance. Reports received without remittance **will not** be processed until remittance is received unless prior approval from the DFG is received.
9. Any unissued and expired items that are not returned to the DFG within 60 days following the last day of the license year will be billed to the Agent. Pursuant to Section 1055.5 of the Fish and Game Code items may be returned for credit; however, the Agent must pay penalties and interest charges.
10. **Credit will not be issued** for items received postmarked after six months of the item expiration date. (See Table 1 on page 2 – Item Validity and Expiration Dates.)



## KEY POINTS OF LICENSE SALES AND REPORTING

The following key points must be followed to ensure license sales and reporting requirements are met.

### 1. *Date of Sale*

- a) The date of sale of **each** license item must be written in **ink** in the space provided on the inside cover of the license book when the item is sold.
- b) License book covers returned to the DFG with no sales date information will be subject to penalty and interest charges based on the date of consignment of the license book. (**Consignment Accounts Only**)
- c) Failure to enter date of sale information for **each** license sold, on the inside cover of license books, may result in the termination of your Agent account (for more information on Agent termination see “License Agent Errors and Corrective Action Taken” section.)

2. **Do not write on, staple, tear or deface** the barcode that appears on the license book cover, doing so may result in incorrect auditing of your monthly sales report.
3. Use the correct report form for the license season and year of licenses being reported. Report forms change each year due to fee increases and the addition or deletion of license items.
4. **Do not use white-out on any part of the license book.** If you make an error when entering date of sale information: a) void the license number that corresponds with the line number where the error was made; b) write void on the line; c) staple the voided license to the book; and, d) issue the next available license.
5. Attach voided and unsold license items to the license book it was removed from. Credit **will not** be issued for voided or unsold license items not attached to the original book the license was removed from.

## PREPARING MONTHLY SALES REPORTS (CONSIGNMENT ACCOUNTS)

Prior to preparing report form, make sure you are using the correct year and type of form for the licenses being reported. Assemble books by type, such as Resident Sport Fishing License, One-Day Sport Fishing License, Ocean Enhancement Stamp, etc. and arrange books in numerical order.

### 1. Section I - Items Reported

- List all book numbers (both sold and returned) by item type in serial number order.

#### Section I (a) Items Reported No Cover

- List all items reported and paid for with no book cover.

### 2. Section II - Items Sold

- Enter the total number of each item sold by type in the “Quantity Sold” column.
- Multiply the “Quantity Sold” column by the “Price Each” column and enter the amount in the “Total Value” column.
- Add the “Total Value” column and enter the amount on the “Remittance” line.

**“ZERO SALES REPORT” - If no books were completely sold for the month being reported, write “0” on the “Remittance” line and fax to (916) 227-0674.**

3. Section III - Items Returned Unsold and Void

- Enter the total number of unsold items being returned by type (included voided items and items not issued) in the “Quantity Returned” column.
- Multiply the “Quantity Returned” column by the “Price Each” column and enter the amount in the “Total Value” column.
- Add the “Total Value” column and enter the amount on the “Total Value of Returned Items” line.

NOTE: If no items are being returned unsold, write “0” on the “Total Value of Returned Items” line.

4. Detach the last copy of report form and retain for your records and use to compare to your Account Statement (see Sales Report Discrepancies on Page 8).

5. Mail the top two copies of the report form with remittance to:

Department of Fish and Game  
License and Revenue Branch  
3211 S Street  
Sacramento, CA 95816

**IMPORTANT:** All remittances **MUST** be in the form of check, money order or cashier’s check.

**REPORTING REQUIREMENTS FOR LOST OR DESTROYED BOOKS (CONSIGNMENT ACCOUNTS)**

Under Section 1060 of the Fish and Game Code, the DFG has the authority to accept an affidavit in lieu of lost licenses due to theft, fire, etc., **if acceptable evidence**, as determined by the DFG, is provided by the Agent. The DFG will not accept affidavits for licenses that are misplaced or stolen by an employee of the Agent. Agents must report and pay for misplaced or lost books and/or book covers. (See Preparing Monthly Sales Report on Page 6). In addition, the Agent must meet all of the following conditions:

- (1) An Agent shall report any losses of licenses to the DFG’s License and Revenue Branch at (916) 227-2228 or (916) 227-2260, on or before the end of the next business day of the DFG.
- (2) An Agent shall submit the following items to the DFG’s License and Revenue Branch at 3211 S Street, Sacramento, CA 95816, not more than 20 days following the last day of the calendar month in which the items were lost or destroyed:
  - (A) A sales report listing all licenses that were lost or destroyed.
  - (B) A signed and notarized affidavit that shows the value and type of the licenses, their serial numbers, and the cause of loss or destruction.
  - (C) A police, fire, or comparable report documenting the incident.

NOTE: The DFG does not have the authority to waive the loss of money collected from the sale of license items.

**REPORTING REQUIREMENTS (COD ACCOUNTS)**

At the end of each license year Agents with COD accounts are required to return all sold and unsold book covers and submit a sales report of all unsold licenses so that credit may be given (See Table 1 on page 2 for due dates).

## **PREPARING SALES REPORTS (COD ACCOUNTS)**

A completed sales report is not required when returning sold book covers only. A sales report is required when returning partially sold and unsold books for credit or refund.

**IMPORTANT:** Voided licenses must be attached to the book they were removed from to receive credit.

Prior to preparing report form make sure you are using the correct form for the licenses being reported. Assemble books by type, such as, Resident Sport Fishing, Ocean Enhancement Stamp, etc. and arrange books in numerical order.

1. Section I - Items Reported
  - Leave Blank
2. Section II - Items Sold
  - Leave Blank
3. Section III - Items Returned Unsold and Void
  - Enter the total number of unsold items being returned by type (included voided items and items not issued) in the "Quantity Returned" column.
  - Multiply the "Quantity Returned" column by the "Price Each" column and enter the amount in the "Total Value" column.
  - Add the "Total Value" column and enter the amount on the "Total Value of Returned Items" line.
4. Write refund or account credit on the report form.
5. Detach the last copy of report form and retain for your records.
6. Mail the top two copies of the report form with partially sold and unsold books to:

Department of Fish and Game  
License and Revenue Branch  
3211 S Street  
Sacramento, CA 95816

**IMPORTANT:** Please allow a minimum of 10 to 12 weeks to receive a refund. Allow an additional four to six weeks for refunds requested from January through March.

## **SALES REPORT DISCREPANCIES (CONSIGNMENT ACCOUNTS)**

The DFG audits Agents monthly sales reports against their remittances and licenses reported sold and unsold. If there is a discrepancy (math error, incorrect entries, etc.) DFG staff will correct the sales report and send a copy with an account statement to the Agent. The Agent must report any discrepancies to the DFG within 30 calendar days from the date of the account statement. **IMPORTANT:** If the Agent does not notify the DFG, of account discrepancies, within 30 calendar days from the date of the account statement the DFG will consider the matter closed and **no adjustment** on the account will be made.

## **DELINQUENT SALES REPORTS (CONSIGNMENT ACCOUNTS)**

The DFG notifies Agents and takes corrective action when sales reports have not been received when due, as follows:

1. A 30-Day Delinquency Notice is mailed to Agents if a monthly sales report has not been submitted by the 20<sup>th</sup> of each month.
2. A 60-Day Delinquency Notice is mailed to Agents who have not submitted a sales report for 60 days or two consecutive months. If the Agent is full credit (no bonding requirement) they will be required to obtain a bond equal to the amount of their consignment.
3. A 90-Day Delinquency Notice is mailed to Agents if a report has not been submitted for 90 days or three consecutive months. A 90-day letter will result in the termination of the Agent's account. All licenses and monies collected from the sale of license items in the Agent's possession is the property of the DFG and must be returned immediately.
4. The DFG collects on the bond provided by the Agent, if applicable. If the amount due to the DFG is more than the bond or if the Agent does not have a bond a lien will be filed against the Agent for the unpaid balance.

## **CHECK ACCEPTANCE POLICY**

Personal or business checks will be accepted by the DFG from Agents if name, address, and telephone numbers are imprinted on the check. Checks returned to the DFG due to insufficient funds, account closed, will be subject to a returned check charge and may be liable for penalty and interest charges accrued on the account. All Agent accounts will be reviewed for possible closure. Agents with consignment accounts with full credit may be required to obtain a bond or change their account type to COD.

**IMPORTANT:** If an Agent with a COD account submits a check that is dishonored by their bank; all future license orders must be prepaid by credit card, money order or cashier's check (see Page 15 for additional action taken).

## **PENALTIES AND INTEREST (CONSIGNMENT ACCOUNTS)**

Penalty and interest (P&I) charges are incurred by Agents who do not submit the fees from license sales in accordance with Fish and Game laws. The purpose of P&I charges is to encourage Agents to remit payment from license sales promptly to the DFG.

To determine if P&I will be assessed, the DFG examines all license books and license book covers when they are returned. The dates entered on the book covers are used to determine when the license book was completely sold. If the fees for that book were not mailed (postmarked) to the DFG within 30 days of the end of the month in which the book was completely sold; P&I will be assessed retroactively to the 21<sup>st</sup> day of the month.

### ***EXAMPLE:***

***If a license book is completely sold on or before June 30 it must be reported and fees submitted by July 20. If the report and remittance is postmarked after July 30; interest accrued from July 21 will be assessed.***

Additionally, the DFG will assess P&I charges:

- For the total amount due when a monthly sales report is received without payment.
- For the unpaid balance when a monthly sales report is received with partial payment.
- When an Agent's check is dishonored by the bank.

An automatic penalty of 10 percent will be assessed for all outstanding balances and interest will be applied to these amounts. The interest rate is determined by the California Franchise Tax Board, and is adjusted every six months.

### **KEY POINTS TO AVOID P & I CHARGES (CONSIGNMENT ACCOUNTS)**

1. Enter the sales date for each item sold on the inside cover of the license books. License book covers returned to the DFG with no sales date information will be subject to penalty and interest charges based on the date of consignment of the license book.
2. Include all license books completely sold during a calendar month on the following month's report.
3. Report all partially sold expired books in the calendar month following the item **expiration** date. (See Table 1 on page 2)
4. Verify that you have calculated the amount due on your report correctly.
5. Submit sales reports and full remittance by the 20<sup>th</sup> day of the following month in which the items were sold. *For example, if the last item in a book is sold on June 25, the fees for that book are due by July 20.*

### **INVENTORY STATEMENTS (CONSIGNMENT ACCOUNTS)**

Inventory Statements list the quantity and monetary value of licenses currently consigned to an Agent's account. Inventory Statements are sent to Agents each year in October. Upon receipt of the Inventory Statement, Agents must check their license inventory against the Inventory Statement. All discrepancies must be reported in writing (by mail or fax) to the DFG's License and Revenue Branch in Sacramento, within 30 calendar days of receipt of the Inventory Statement.

NOTE: It is very important that Agents maintain accurate records and copies of all Sales Reports as it is the Agent's responsibility to provide documentation of all discrepancies.

## Section II - License Agent Compliance

### LICENSE AGENT AUDITS

The DFG's Audits Branch (AB) conduct audits of Agents to determine if they are in compliance with Fish and Game laws and regulations. The purpose of an audit is to help identify and correct exceptions found in Agent accounts and to assist Agents in improving and streamlining the handling of their accounts.

Agent audits are conducted on randomly selected accounts or at the request of DFG as needed. Typically, the AB staff will arrive unannounced at the Agent's business location during their normal business hours. Basic auditing procedures are used when conducting an audit of an Agent's account.

The agent must provide the following items or information to the AB staff upon request:

1. All unsold books;
2. All partially sold books;
3. All book covers of sold books;
4. Register receipts of license items sold that have not been reported to the DFG;
5. Deposit slips from the sale of license items;
6. Most recent bank statements;
7. Disbursement schedule;
8. Copy of most recent monthly sales report submitted to the DFG (**Consignment Accounts**);
9. Copy of most recent shipment report received with license order; and
10. Cash on hand from the sale of license items.

The AB staff will:

1. Review the material and information for completeness and accuracy;
2. Reconcile the DFG's consignment records with the Agent's inventory of license books;
3. Reconcile license money not yet remitted to the DFG with the Agent's license sales bank account balance;
4. Prepare a final audit report; and,
5. Send a copy of the report to the Agent and to the LRB.

## LICENSE AGENT ERRORS AND CORRECTIVE ACTION TAKEN

The DFG has identified errors (See Table 3) committed by Agents that have resulted in: 1) Customers being licensed incorrectly; 2) Agents not abiding by laws and regulations governing the sales of licenses; and, 3) Increased workload for the DFG. Therefore, to help eliminate these problems the DFG has established a corrective action process, detailed in Table 3, which will be enforced beginning February 1, 2004.

**Table 3 – Offenses and Action Taken<sup>1</sup>**

OFFENSE COMMITTED	AUTHORITY <sup>1</sup>	ACTION TAKEN
<b>CATEGORY 1</b>		
<b>LICENSE SALES AND ISSUANCE</b> - including, but not limited to the following:		
1) Not entering date of sale in book covers	§707, Title 14, CCR	<p><b>First Offense</b></p> <p>1) Letter sent to Agent to provide notification of the offense; copy of letter sent to DFG Enforcement and Audits Branch. Possible citation and/or fine.</p> <p>2) Within 30 calendar days of receipt of the notification, the Agent will be required to submit in writing, to the DFG's License and Revenue Branch, the corrective action that has been taken to ensure that the offense identified is not committed again.</p> <p>3) If the Agent's response is not received within 30 calendar days the Agent's account will be placed on <b>HOLD</b>.</p> <p>4) If the Agent's response is not received within 90 calendar days the Agent's account will be terminated.</p> <p><b>Second Offense within a 12-month period</b> Agent account is terminated.</p>
2) Selling blank licenses	§705, Title 14, CCR	
3) Selling books of licenses to one person	FGC § 1053	
4) Selling or transferring license books between Agent accounts (including corporate accounts)	FGC § 1052	

**(Footnotes)**

<sup>1</sup> Reference to authority abbreviations in table - License Agent Manual (LAM), Fish and Game Code (FGC), California Code of Regulations (CCR)

OFFENSE COMMITTED	AUTHORITY	ACTION TAKEN
<b>CATEGORY 1 (A)</b>		
<b>LICENSE SALES AND ISSUANCE</b> - including, but not limited to the following:		
1) Issuing a duplicate license without collecting the “Application for Duplicate License” portion of the original license and attaching it to the Duplicate License book cover.	<b>LAM</b>	<p><b>First Offense</b> Letter sent to Agent to provide notification of the offense.</p> <p><b>Second Offense within a 12-month period</b> Duplicate Licenses will be removed from the Agent’s inventory; Agent will no longer be able to sell duplicate licenses.</p>
<b>CATEGORY 1 (B)</b>		
<b>LICENSE SALES AND ISSUANCE</b> - including, but not limited to the following:		
1) Deer and/or bear application number not written on the customer’s hunting license.	<b>§707, Title 14, CCR</b>	<p><b>First Offense</b> 1) Letter sent to Agent to provide notification of the offense; copy of letter sent to DFG Enforcement and Audits Branch. Possible citation and/or fine.</p> <p>2) Within 30 calendar days of receipt of the notification, the Agent will be required to submit in writing, to the DFG’s License and Revenue Branch, the corrective action that has been taken to ensure that the offense identified is not committed again.</p> <p>3) If the Agent’s response is not received within 30 calendar days the Agent’s account will be placed on <b>HOLD</b>.</p> <p>4) If the Agent’s response is not received within 90 calendar days the Agent’s account will be terminated.</p> <p><b>Second Offense within a 12-month period</b> Agent account is terminated</p>
2) Selling wrong license or issuing licenses incorrectly (year, residency, type, valid dates, etc.)	<b>LAM</b>	
3) Selling a sport fishing license to persons under the age of 16	<b>FGC § 7145</b>	
4) Selling a hunting license without verifying hunter education requirements have been met	<b>FGC § 3050</b>	



OFFENSE COMMITTED	AUTHORITY	ACTION TAKEN
CATEGORY 1 (C)		
LICENSE SALES AND ISSUANCE - including, but not limited to the following:		
1) Charging more than the fee authorized by law or regulation for each license item	FGC § 1055	First Offense Immediate Termination of Agent Account
2) Selling nonrevenue items provided by DFG (maps, regulation books, etc.)	FGC § 1055	
CATEGORY 2		
SALES REPORTING - including, but not limited to the following:		
1) Sales reports completed and submitted inaccurately	LAM	First Offense 1) Letter sent to Agent to provide notification of the offense; copy of letter sent to DFG Enforcement and Audits Branch. Possible citation and/or fine.  2) Within 30 calendar days of receipt of the notification, the Agent will be required to submit in writing, to the DFG’s License and Revenue Branch, the corrective action that has been taken to ensure that the offense identified is not committed again.  3) If the Agent’s response is not received within 30 calendar days the Agent’s account will be placed on <b>HOLD</b> .  4) If the Agent’s response is not received within 90 calendar days the Agent’s account will be terminated.  Second Offense within a 12-month period Agent account is terminated
2) Incorrect report form used	LAM	

OFFENSE COMMITTED	AUTHORITY	ACTION TAKEN
<b>CATEGORY 3</b>		
<b>FEE REMITTANCE</b> - including, but not limited to the following:		
1) Check returned unpaid due to insufficient funds, stop payment, or account closed.	<b>LAM</b>	<p><b><i>First Offense</i></b></p> <p>1) Letter sent to Agent to provide notification of offense.</p> <p>2) Account placed on hold until payment in full by cashier's check or money order only, including a returned check fee, is received.</p> <p>3) If payment is not received within 30 days account will be terminated and collection procedures will begin.</p> <p><b><i>Second Offense within a 12 - month period</i></b></p> <p><b>Consignment Accounts –</b> Letter sent to Agent requiring a bond or change in account type</p> <p><b>COD Accounts -</b> Letter sent to Agent to provide notification that all licenses must be prepaid by credit card or cashier's check</p>

***IMPORTANT:*** If an Agent has more than three (3) offenses of any kind in a 12-month period their account may be terminated. Once an Agent's account is terminated the Agent may reapply for a License Agent Account; however, the Agent must wait one full calendar year from the date of termination. Approval of an Agent account after termination will be at the sole discretion of the DFG and may result in new restrictions placed on the Agent's account.

## Section III- License Sales and Issuance Procedures

### LICENSE SALES OVERVIEW

Each Agent is responsible for ensuring that all licenses are sold and issued correctly. This requires adequate training of all staff responsible for license sales. **NOTE: Failure to issue licenses correctly is cause for termination of your license agent account.**

### KEY POINTS OF LICENSE SALES AND ISSUANCE

1. Always enter the date of sale for each license item on the inside cover of the license book at the time of sale.
2. Sell license items in consecutive order.
3. Completely sell one book of licenses before selling from another book of the same type of license.
4. Always verify hunter education requirements are met prior to issuing a hunting license.
5. **Ask questions!** This will help ensure the customer is properly licensed. For example, when selling a hunting or sport fishing license ask the customer the following questions:
  - a) Are you a resident?
  - b) When are you going hunting or fishing?
  - c) What are you going to hunt or fish for (i.e., deer, pig, pheasant, ducks, steelhead, etc.)?

### HOW TO SELL AND ISSUE LICENSE ITEMS

All licenses must be completely filled out (licensee's name, address, date of birth, and physical description) by the Agent at the time of purchase (Section 705, Title 14, California Code of Regulations). If the license is being purchased as a gift see Buying Licenses For Other People below.

The instructions for selling and issuing each license item is contained on the inside back cover of each license book. Specific information on hunting and sport fishing regulations can be found in regulation booklets and on the DFG's website at [www.dfg.ca.gov](http://www.dfg.ca.gov). If you need additional assistance please contact the DFG's License and Revenue Branch at (916) 227-2245.

### RESIDENCY REQUIREMENT

Residency is defined in Section 70, of the Fish and Game Code as: 1) any person who has resided continuously in the State of California for six months or more immediately prior to the date of application for a license; 2) any person on active duty military with the Armed Forces of the United States; or 3) a Job Corps enrollee.

### BUYING LICENSES FOR OTHER PEOPLE

A person may purchase a license for another person if the licensee's name and address is provided to the Agent and written on the license at the time of purchase. The license is not valid until all the required information (physical description and date of birth) is completed and the license is signed.

**IMPORTANT:** When someone is purchasing a hunting license for another person they must provide proof of hunter education as shown on page 22.

## **VOIDING LICENSE ITEMS**

If an error is made while filling out a license document **do not** correct it. Void the item and staple it to the back of the book it was removed from. Voided items will only be credited if they are attached to the book they were removed from.

## **SELLING DUPLICATE LICENSE ITEMS**

A person may purchase a duplicate sport fishing or hunting license at a reduced cost only if they surrender the "Application for Duplicate License". The "Application for Duplicate License" must be attached to the Duplicate License Book. If the customer does not have the "Application for Duplicate License" the customer must purchase the license at full cost. Sport fishing stamps must be purchased at full price. Questions on obtaining duplicate license items for tags, permits, etc. should be directed to the DFG's License and Revenue Branch, in Sacramento.

## **REFUND POLICY**

All license items are nonrefundable with the exception of: 1) deer tags for certain zones and bear tags if the refund request is submitted prior to the opening of the earliest season for which the tag is valid. (For more information please refer to the mammal hunting regulations or Big Game Hunting booklet.); 2) if more than one (1) item of the same type in the same license year is purchased. For example, if a customer purchases an annual sport fishing license for the 2003 license year and this same customer receives an annual sport fishing license as a gift in 2003 then a refund may be processed for one (1) of the licenses. To request a refund the customer must submit the items below to the DFG's License and Revenue Branch, Attn: Refunds, 3211 S Street, Sacramento, CA 95816:

- 1) A photocopy of the license the customer plans on keeping.
- 2) The original of the other license including the "Application for Duplicate License".
- 3) A note which includes the customer's name, mailing address and telephone number and an explanation of the request (i.e., two (2) licenses were received and would like a refund).

Once the DFG receives the refund request the customer can expect to receive a check within 14 to 16 weeks.

## **SALES RESTRICTIONS ON SPECIFIC ITEMS**

Below is a list of items that customers may only purchase one of each during a license year:

- 1) Annual Sport Fishing or Hunting License
- 2) One-deer Tag Application
- 3) Second-deer Tag Application
- 4) Bear Tag Application
- 5) Abalone Report Card
- 6) Sport Salmon Punch Card

**IMPORTANT:** If a customer has purchased one of the items identified above for the license year the Agent must not sell the customer another item of the same type.

## Section IV – Sport Fishing Program

### SPORT FISHING LICENSE REQUIREMENTS

Fish and Game Code, Section 7145, requires that any person 16 years of age or older must have a valid sport fishing license to take any kind of fish, mollusk, invertebrate, amphibian or crustacean in California for purposes other than profit. Persons fishing from a public pier in ocean or bay waters are exempt from this requirement. Regulation requires anglers to attach their license to their outer clothing at or above the waist so that the license is visible while fishing.

### SUMMARY OF SPORT FISHING LICENSES

**Annual Resident Sport Fishing Licenses** may be purchased by any person 16 years of age or older who has: 1) resided continuously in California for six months immediately prior to the date of application; 2) who is on active duty with the Armed Forces of the United States; or 3) is a Job Corps enrollee. This license allows the licensee to take fish, mollusks, invertebrates, amphibians or reptiles in inland or ocean waters of California.

**Annual Nonresident Sport Fishing Licenses** may be purchased by any person 16 years of age or older who is not a resident of the State to take fish, mollusks, invertebrates, amphibians or reptiles in inland or ocean waters of California.

**Duplicate Sport Fishing Licenses** may be purchased to replace a lost or destroyed annual sport fishing license (resident or nonresident). Applicants must surrender their “Application for Duplicate License” to obtain a low-cost duplicate license. NOTE: Additional privileges (stamps, cards, etc.) must be re-purchased at full fee.

**Ten-Day Nonresident Sport Fishing Licenses** may be purchased by any person 16 years of age or older who is not a resident of the State to take fish, mollusks, amphibians, or reptiles in inland or ocean waters of California for 10 consecutive days.

**Two-Day Sport Fishing Licenses** may be purchased by any person 16 years of age or older (resident or nonresident) to take fish, mollusks, amphibians, or reptiles from inland or ocean waters of the State for two consecutive calendar days. Anglers fishing with a Two-day Sport Fishing License are not required to purchase an Ocean Enhancement Stamp.



**One-Day Sport Fishing License** may be purchased by any person 16 years of age or older (resident or nonresident) to take fish, mollusks, amphibians, or reptiles from inland or ocean waters of the State for one calendar day. An Ocean Enhancement Stamp is not required with a One-day Sport Fishing License.

### SUMMARY OF SPORT FISHING STAMPS

**Colorado River Special Use Stamp** allows an individual to fish on the Colorado River from a boat or other floating device when affixed to a valid California sport fishing license. (Arizona residents must have a California Special Use Stamp.)

**Ocean Enhancement Stamp** allows an individual to fish in ocean waters south of Point Arguello (Santa Barbara County) when affixed to a valid California sport fishing license. Not required for anglers fishing with a One or Two-Day Sport Fishing License.

**Second-Rod Stamp** allows an individual to fish with a second rod or line in California's inland lakes, reservoirs and all waters of the Colorado River District when affixed to a valid California sport fishing license.



**Bay Delta Sport Fishing Enhancement Stamp** allows an individual to take fish in the San Francisco Bay-Delta district when affixed to a valid California sport fishing license. Anyone fishing in the following areas will be required to possess a Bay-Delta Sport Fishing Enhancement Stamp:

- The tidal waters of San Francisco Bay and Delta - Areas east of Golden Gate Bridge and into the San Francisco and San Pablo bays, and Carquinez Strait.
- The Sacramento-San Joaquin Delta - All rivers, sloughs, canals, cuts, forebays, and flooded islands within the area south of Interstate 80, west of Highway 99, north of I-580, I-205, and I-120, and east of I-680. This area includes the Cosumnes River west of Highway 99.
- The Sacramento River below Keswick Dam, the Feather River below Oroville Dam, the Yuba River below Englebright Dam, the American River below Nimbus Dam, the Cosumnes River west of Highway 99, the Mokelumne River below Camanche Dam, the Calaveras River below New Hogan Dam, the San Joaquin River below Mendota Dam, the Stanislaus River below Goodwin Dam, the Tuolumne River below LaGrange Dam, and the Merced River below Crocker-Huffman Dam.

## SUMMARY OF SPORT FISHING CARDS

**Abalone Report Card** allows an individual to take abalone in waters north of the center of the mouth of San Francisco Bay. Agents must enter the report card number on the customers sport fishing license.

**Steelhead Report Card** allows an individual to take steelhead in California's inland waters. A steelhead is defined as a rainbow trout at least 16 inches long taken from anadromous waters (waters that flow uninterrupted to the ocean).

**Sport Salmon Punch Card** allows an individual to take salmon in ocean waters north of Horse Mountain (Humboldt County) or in the Klamath River system. Agents must enter the punch card number on the customers sport fishing license.

## SUMMARY OF SPORT FISHING LICENSES SOLD ONLY AT DFG OFFICES

Reduced-fee and Free Sport Fishing Licenses are available through DFG offices only. Any questions regarding Reduced-fee or Free Sport Fishing Licenses should be referred to a DFG office. Agents may request the applications from the License Agent Order Desk; however, these items shall not be sold by Agents.

## Section V – Hunting Program

### HUNTING LICENSE REQUIREMENTS

Fish and Game Code Section 3031 requires that any person taking birds or mammals must have a valid California hunting license. Hunters must carry licenses and be prepared to show them on request. Although there is no minimum age limit, current law requires all hunting license applicants, except as noted, to show evidence of hunter education before a license is issued.

### SUMMARY OF HUNTING LICENSES

**Annual Resident Hunting Licenses** may be purchased by any person who is 16 years of age or older who has: 1) resided continuously in California for six months immediately prior to the date of application; 2) who is on active duty with the Armed Forces of the United States; or 3) is a Job Corps enrollee.

**Annual Junior Hunting Licenses** may be purchased by any person who is less than 16 years of age, who is a resident or nonresident of California. Any person who purchased a Junior Hunting License before he/she was 16 years of age may continue to use their junior license until it expires.

**Annual Nonresident Hunting Licenses** may be purchased by any person 16 years of age or older, who is not a resident of California.

**Duplicate Hunting Licenses** may be purchased to replace a lost or destroyed annual hunting license (resident, nonresident or junior). Applicants must surrender their “Application for Duplicate License” to obtain a low-cost duplicate license. NOTE: Additional privileges (Duck Stamps, Upland Game Bird Stamps, etc.) must be re-purchased at full fee.

**Two-Day Nonresident Hunting Licenses** may be purchased by any person 16 years of age or older who is not a resident of California. This license authorizes the take of resident and migratory game birds, resident small game mammals, non-game animals and furbearers for TWO CONSECUTIVE DAYS. *Not valid for hunting big game mammals.*

### SUMMARY OF WATERFOWL AND UPLAND GAME BIRD STAMPS AND PERMITS

**California State Duck Stamps** may be purchased by any person for stamp collecting purposes. If a hunter requests a California State Duck Stamp for hunting purposes, the stamp must be affixed to his/her hunting license prior to engaging in hunting activities. **IMPORTANT:** Persons hunting under the authority of a junior hunting license are not required to have a California State Duck Stamp.

**Upland Game Bird Stamps** may be purchased by any person for stamp collecting purposes. If a hunter requests an Upland Game Bird Stamp for hunting purposes, the stamp must be affixed to his/her hunting license prior to engaging in hunting activities. Upland game birds include: pheasant, turkey, dove, band-tailed pigeon, snipe, grouse, ptarmigan, quail, partridge, and chukar.

**IMPORTANT:** Persons hunting under the authority of a junior hunting license are not required to have an Upland Game Bird Stamp.



**One-day Permits to Hunt on State-Operated Wildlife Hunting Areas** may be purchased by any person 16 years of age or older to hunt for one shoot day. These permits are sold only at Type A area check-in stations. This permit is not a reservation to hunt, it only allows access to the hunting area if space is available. Junior hunters are exempt from this permit requirement.

**Type A Two-day Passes** may be purchased by any person 16 years of age or older. This pass may be used as follows: 1) by one person for any two authorized shoot days; or 2) by two persons on any one authorized shoot day. This pass is not a reservation to hunt, it only allows access to the hunting area if space is available. Junior hunters are exempt from this permit requirement.

**Type A Area Season Passes** may be purchased by any person 16 years of age or older. This pass allows unlimited season access to Type A and Type B areas for one person if space is available. This pass is nontransferable and may only be used by the person whose name, address and hunting license number appear on the pass.

**Type B Area Season Passes** may be purchased by any person 16 years of age or older. This pass allows unlimited season access to **Type B areas only** for one person if space is available. This pass is nontransferable and may only be used by the person whose name, address and hunting license number appear on the pass.

## **SUMMARY OF HUNTING TAGS AND APPLICATIONS**

**Deer Tag Applications** may be purchased by any person 12 years of age or older at the time of application with a valid California hunting license. Each hunter may purchase two (2) deer tag applications per season which includes one (1) one-deer tag application and one (1) second deer tag application. NOTE: Agents must issue a one-deer tag application before issuing a second deer tag application. If the hunter already has one or more deer tag numbers written on his/her hunting license **do not** issue another deer tag application of the same type. Deer tag applications are available at Agents and some DFG offices. Deer tags are only available at DFG offices. To apply for tags issued through the Big Game Drawing hunters must use a one-deer tag application. For additional information on the drawing application process, zones and tag quotas please refer to the Big Game Hunting Booklet and the Mammals and Furbearers Regulations or visit the DFG's website at [www.dfg.ca.gov](http://www.dfg.ca.gov).

**Bear Tag Applications** may be purchased by any person 12 years of age or older with a valid California hunting license. Each hunter may purchase one (1) bear tag application per season. Bear tag applications are available at Agents and some DFG offices. Bear tags are only available at DFG offices.

**Wild Pig Tags** may be purchased by any person 12 years of age or older with a valid California hunting license. There is no restriction on the number of wild pig tags a person may have.

**Bobcat Tags** may be purchased by any person with a valid California hunting license. Each person may only purchase five bobcat tags per season. Bobcat tags are sold at DFG offices only.

**Antelope Tags** may only be obtained if successful in the annual Big Game Draw. Residents must be 12 years of age or older at the time of application to enter the Big Game drawing for an antelope tag. For additional information please refer to the Big Game Hunting Booklet or visit the DFG's website at [www.dfg.ca.gov](http://www.dfg.ca.gov).

**Elk Tags** may only be obtained if successful in the annual Big Game Draw. Residents must be 12 years of age or older at the time of application to enter the Big Game drawing for an elk tag. For additional information please refer to the Big Game Hunting Booklet or visit the DFG's website at [www.dfg.ca.gov](http://www.dfg.ca.gov).



**Bighorn Sheep Tags** may only be obtained if successful in the annual Big Game Draw. Residents or nonresidents must be 16 years of age or older at the time of application to enter the Big Game drawing for a Bighorn sheep tag. For additional information please refer to the Big Game Hunting Booklet or visit the DFG's website at [www.dfg.ca.gov](http://www.dfg.ca.gov).

## **SUMMARY OF HUNTING LICENSES SOLD ONLY AT DFG OFFICES**

**Special Nonresident One-Day Hunting Licenses** may be purchased by any person who is not a resident of the State to hunt for one day (only on a California licensed game bird club or licensed migratory game bird shooting club). This license may not be used for hunting game mammals. No proof of hunter education is required.

**Disabled Veteran Reduced-Fee Hunting Licenses** may be purchased by qualified disabled veterans. Agents may request a supply of applications as a service to their customers from the License Agent Order Desk; however, these items shall not be sold by Agents. Hunting tags and species stamps must be purchased at full fee.

**Disabled Persons Motor Vehicle Hunting Permits** may be issued to disabled hunters upon application to the DFG. This is a lifetime permit issued at no fee to hunt from a motor vehicle. For more information on eligibility requirements or permit provisions, interested hunters should contact: **DFG's, License and Revenue Branch, 3211 S Street, Sacramento, CA 95816, telephone (916) 227-2245.** *(This license does not take the place of a California hunting license.)*

## **PROOF OF HUNTER EDUCATION**

All residents and nonresidents must present **ONE** of the following when applying for a California hunting license:

- An annual California hunting license issued in any prior year;
- A two-day nonresident California hunting license issued after the 1999/2000 license year;
- A written declaration that you had a California hunting license in any prior year, but that license is now lost or destroyed;
- A California certificate of hunter education completion or equivalency with a California hunter education validation stamp;
- A certificate of successful completion of a California-approved hunter education course from any state or Canadian province;
- A current hunting license or a hunting license issued in either of the two previous years from any state.

## HUNTER EDUCATION CLASSES

California offers hunter education classes throughout the year in all parts of the State. Volunteers conduct classes including a minimum of 10 hours instruction in a wide range of topics such as hunter ethics, wildlife conservation and management, safe and proper firearms handling, wildlife identification, care of game, and other aspects of hunting. Information on upcoming classes are available on the DFG's web site at [www.dfg.ca.gov](http://www.dfg.ca.gov) or by contacting the nearest DFG regional office listed below.

## HUNTER EDUCATION EQUIVALENCY EXAM

Exams are given by appointment at DFG regional offices. Exams are scored on a "Pass/Fail" basis and are available, for a fee, *only to persons who have not previously taken and failed the test.* (NOTE: Some states do not accept California Hunter Education Equivalency Certificates as evidence of hunter education.)

## DFG REGIONAL OFFICES

### Northern California and North Coast Region - Redding

601 Locust Street, Redding, CA 96001 (530) 225-2300

*Serving counties: Del Norte, Humboldt, Lassen, Modoc, Shasta, Siskiyou, Tehama and Trinity*

### Sacramento Valley and Central Sierra Region - Rancho Cordova

1701 Nimbus Road, Rancho Cordova, CA 95670 (916) 358-2900

*Serving counties: Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Nevada, Placer, Plumas, Sacramento, San Joaquin, Sierra, Solano, Sutter, Yolo and Yuba*

### Central Coast Region - Napa

7329 Silverado Trail, Napa, CA 94558 (707) 944-5500

*Serving counties: Alameda, Contra Costa, Lake, Marin, Mendocino, Monterey, Napa, San Benito, San Luis Obispo, San Mateo, Santa Clara, Santa Cruz, San Francisco, Sonoma and Solano*

### San Joaquin Valley and Southern Sierra Region - Fresno

1234 East Shaw Avenue, Fresno, CA 93710 (559) 243-4005

*Serving counties: Fresno, Kern, Kings, Madera, Mariposa, Merced, Stanislaus, Tulare and Tuolumne*

### South Coast Region - San Diego

4949 Viewridge Avenue, San Diego, CA 92123 (858) 467-4201

*Serving counties: Los Angeles, Orange, San Diego, Santa Barbara and Ventura*

### Marine Region - Monterey

20 Lower Ragsdale Drive Suite 100, Monterey, CA 93940 (831) 649-2870

## Section VI – Questions and Answers

### LICENSE AGENT ACCOUNTS

**Q. If I sell my business, will the new owners be able to continue selling my licenses?**

**A.** No. License Agent Accounts are nontransferable. If you sell your business you must notify the DFG in writing 30 days prior to the sale of your business and return all licenses and the fees collected from the sale of licenses to the DFG. In addition, you will be responsible for all outstanding inventory consigned to your account. **The new owners must apply to the DFG's License and Revenue Branch for their own License Agent Account.**

**Q: Can a license agent add an additional charge if a credit card is used to purchase a license?**

**A:** No. It is forbidden by law to issue any license item for any fee other than that printed on the item.

### LICENSE ISSUANCE

**Q. What if a mistake is made when completing a license?**

**A:** The license must be voided and a new license completed. **Important:** A voided license must be attached to the book it was removed from, in order for the agent to receive credit.

**Q: What if the license buyer comes back after the license has been issued and wants to purchase additional stamps?**

**A:** Additional stamps, such as an Ocean Enhancement Stamp, or Second-rod Stamp may be added to the license at any time after the license has been issued.

## Appendix – Laws and Regulations Affecting Agents

### Fish and Game Code

#### §70. Resident

“Resident” means any person who has resided continuously in the State of California for six months or more immediately prior to the date of his application for a license or permit, any person on active military duty with the Armed Forces of the United States or auxiliary branch thereof, or any person enrolled in the Job Corps established pursuant to Section 2883 of Title 29 of the United States Code.

#### §1052. Unlawful Transfer, Use or Possession

It is unlawful for any person to do any of the following:

- (a) Transfer any license, license tag, license stamp, permit, application, or reservation.
- (b) Use or possess any license, license tag, license stamp, permit, application, or reservation that was not lawfully issued to the user thereof or that was obtained by fraud, deceit, or the use of a fake or counterfeit application form.
- (c) Use or possess any fake or counterfeit license, license tag, license stamp, permit, permit application form, band, or seal, made or used for the purpose of evading any of the provisions of this code, or regulations adopted pursuant thereto.
- (d) Predate or fail to date any license, license tag, or permit.
- (e) Postdate the date of application or the date of issuance of the license, license tag, or permit. This subdivision does not apply to the date that a license, license tag, or permit is valid.
- (f) Alter, mutilate, deface, duplicate, or counterfeit any license, license tag, permit, permit application form, band, or seal, or entries thereon, to evade the provisions of this code, or any regulations adopted pursuant thereto.

#### §1052.5. Stamps - Validity

Any license stamp issued pursuant to this article is not valid unless affixed to the appropriate license document.

#### §1053. Quantity Issued; Exceptions

No person shall obtain more than one license, permit, reservation, or other entitlement of the same class, or more than the number of tags authorized by statute or regulation for the same license year, except under one of the following conditions:

- (a) Licenses issued pursuant to paragraphs (3) and (4) of subdivision (a) of Section 7149 and subdivision (c) of Section 7149, paragraphs (3) and (4) of subdivision (a) of Section 7149.05 and subdivision (c) of Section 7149.05, and paragraphs (4) and (5) of subdivision (a) of Section 3031.
- (b) The loss or destruction of an unexpired license, tag, permit, reservation, or other entitlement as certified by the applicant's signed affidavit and proof, as determined by the department, that the original license, tag, permit, reservation, or other entitlement was issued, and payment of a base fee of five dollars (\$5), adjusted pursuant to Section 713, not to exceed the fee for the original entitlement.
- (c) The adjustment of the base fee pursuant to Section 713 applies to the hunting license years commencing on or after July 1, 1996, and the fishing license years commencing on or after January 1, 1996.

#### §1053.5. Hunting License Applicants - Requirements

Applicants for hunting licenses pursuant to subdivision (a) of Section 1053 shall first satisfactorily complete a hunter safety equivalency examination and obtain a certificate of equivalency as provided by regulations adopted by the commission, or show proof of completion of a hunter safety training course, or show a previous year's hunting license.

#### §1054. False Statement to Obtain License; Agent May Require Proof of Facts

It is unlawful to make any false statement as to any fact required as a prerequisite to the issuance of a license or license tag, and any license or license tag obtained in violation of this section is void. Any license agent may require the applicant for a license or license tag to show proof of the statements or facts required for the issuance of any license or license tag.

#### §1055. Agents to Sell Licenses; Requirements, Fees, Etc.

- (a) The department may authorize any person, except a commissioner, officer, or employee of the department, to be a license agent to issue licenses, permits, reservations, tags, and other entitlements. The department may consign licenses, permits, reservations, tags, and other entitlements to license agents without receiving payment therefor, upon application of the license agent and upon the giving of a bond or assigning a certificate of deposit, payable to the department, as

provided in this article. It may not consign any licenses, permits, reservations, tags, or other entitlements to any license agent who fails to submit the report required by subdivision (a) of Section 1055.5 within one month and 20 days following the last day of that calendar month or who otherwise fails to fully comply with Section 1055.5.

(b) A license agent authorized pursuant to subdivision (a) shall add a handling charge to the fees prescribed in this code or in regulations adopted pursuant to this code for licenses, permits, reservations, tags, and other entitlements issued by the license agent in an amount that is 5 percent of the face value of the item rounded to the nearest five cents (\$0.05).

(c) The handling charge added pursuant to subdivision (b) shall be incorporated into the total amount collected for issuing any license, permit, reservation, tag, and other entitlement, but the handling charge may not be included when determining license fees in accordance with Section 713. License agents may issue any license, permit, reservation, tag, and other entitlement for any amount up to 10 percent less than the fee prescribed in this code or in regulations adopted pursuant to this code. The license agent shall remit to the department the full amount of the fees as prescribed in this code or in regulations adopted pursuant to this code for all licenses, permits, reservations, tags, and other entitlements issued.

(d) The handling charge required by subdivision (b) is the license agent's only compensation for services. The license agent shall not make any other additional fee or charge for issuing licenses, permits, reservations, tags, and other entitlements authorized pursuant to this section.

(e) The department may designate a nonprofit organization, organized pursuant to the laws of this state, or the California chapter of a nonprofit organization, organized pursuant to the laws of another state, as a license agent for the sale of lifetime licenses issued pursuant to Sections 714, 3031.2, and 7149.2. These licenses may be sold by auction or by other methods and are not subject to the fee limitations prescribed in this code. An agent authorized to issue lifetime sport fishing licenses, lifetime hunting licenses, and lifetime sportsman's licenses under this subdivision is exempt from subdivisions (b) and (d). The license agent shall remit to the department all revenue derived from the sale of the lifetime licenses.

(f) In order to facilitate the prompt remittance of fees and more accurate accounting of licenses, permits, reservations, tags, and other entitlements provided for issuance to license agents, the department may provide them in books containing licenses, permits, reservations, tags, or other entitlements that do not exceed the total fees for 20 resident sport fishing licenses. This subdivision does not apply to nonresident licenses and nonresident tags.

(g) At any single business location, a license agent shall issue all items from a single book before commencing to issue licenses, permits, reservations, tags, or other entitlements of the same series from another book.

(h) The department, alternatively, may provide for the issuance of licenses, permits, reservations, tags, or other entitlements to authorized license agents and shall collect at the time the documents are provided an amount equal to the fees for all licenses, permits, reservations, tags, and other entitlements provided. Any license agent who pays the fees for licenses, permits, reservations, tags, or other entitlements provided is exempt from subdivisions (a) and (e) of Section 1055.5 and Sections 1056 and 1059. Any licenses, permits, reservations, tags, or other entitlements provided pursuant to this subdivision that remain unissued at the end of the license year may be returned to the department, within 60 days of their expiration date, for refund or credit, or a combination thereof.

(i) License agents shall return all unissued and expired licenses, permits, reservations, tags, and other entitlements to the department within one month and 20 days following the last day of the license year. Any license agent who does not comply with this section shall not be provided additional licenses, permits, reservations, tags, and other entitlements until the unissued and expired licenses, permits, reservations, tags, and other entitlements have been returned to the department. In addition, any unissued and expired license, permit, reservation, tag, or other entitlement that is not returned within 60 days following the last day of the license year shall be billed to the license agent. Licenses, permits, reservations, tags, and other entitlements may be returned for credit after the 60 days; however, the license agent shall pay interest and penalties on the returned licenses, permits, reservations, tags, and other entitlements as prescribed in subdivision (b) of Section 1059. No credit may be allowed after six months following the last day of the license year.

(j) This section does not apply to licenses, permits, reservations, tags, or other entitlements issued through the Automated License Data System.

#### **§1055.5. Agents; Report Sales of and Lost Licenses**

(a) Except as provided in subdivision (c) or (d), each license agent authorized pursuant to Section 1055 shall remit to the department the fees prescribed in this code or in regulations adopted pursuant to this code for all licenses, permits, reservations, tags, and other entitlements issued in each calendar month not later than 20 days following the last day of that calendar month. The transmittal of the fees to the department shall be accompanied with an accounting report on forms provided by the department of all licenses, permits, reservations, tags, and other entitlements received, issued, remaining on hand, reported lost under subdivision (b), and returned to the department during the preceding month.

(b) A license agent shall report any losses of licenses, permits, reservations, tags, or other entitlements, or any part or all of the fees received for them, to the department on or before the end of the next business day of the department.

(c) A license agent is not required to remit the fees for a book of licenses, permits, reservations, tags, or other entitlements in any month if, on the last day of the preceding month, all items in that single book provided for issuance at

a single business location are not issued. If, however, all items in that book are issued, the license agent shall remit the fees for that book and transmit the accounting report in accordance with the requirements of this section.

(d) The license agent may retain not more than fifteen cents (\$0.15) of the fee received for each Colorado River special use stamp issued pursuant to Section 7180 as compensation for services. The license agent shall remit to the department the fees prescribed by Section 7180, less any amounts retained under this subdivision, for all Colorado River special use stamps issued. The license agent shall remit the net fees with an accounting report as prescribed in subdivision (a).

(e) Except as provided in subdivision (c), any fee remittance and accounting report not transmitted to the department within 30 days following the last day of each calendar month is delinquent, and fees due are subject to interest and penalties prescribed in subdivision (b) of Section 1059. Interest and penalties shall be computed beginning 21 days following the last day of the calendar month in which the fees were collected.

(f) This section does not apply to licenses, permits, reservations, tags, or other entitlements issued through the Automated License Data System.

#### **§1056. Bond or Deposit by Agent - Requirements**

(a) Every person authorized to issue licenses, permits, reservations, tags, and other entitlements pursuant to Section 1055 or 1055.1 may be required to execute, in favor of the department, a bond or certificate of deposit, payable to the department, in a sum determined by the department. The bond or certificate of deposit shall secure the accurate accounting and payment to the department of the funds collected and the performance of the duties imposed upon the license agent by this article.

(b) Any license agent who fails to transmit the fees or accounting reports required by Section 1055.5 or 1055.6 not later than 60 days following the due date as specified by the department may be bonded pursuant to subdivision (a) in order to continue as a license agent.

#### **§1057. Money from Sales of Licenses - Agent Must Separate**

All license, tag, permit, reservation, and other entitlement money shall be accounted for separately from other funds of a license agent, and shall at all times belong to the state.

#### **§1058. Preferred Claim for License Fees by State**

In case of an assignment for the benefit of creditors, receivership, or bankruptcy, the state shall have a preferred claim against the license agent, receiver, or trustee for all moneys owing the state for the issuing of licenses, permits, reservations, tags, and other entitlements as provided in this code and shall not be estopped from asserting that claim by reason of the commingling of funds or otherwise.

#### **§1059. Failure to Account for Fees or Licenses; Punishment**

(a) The failure or refusal of any license agent to account for licenses, permits, reservations, tags, and other entitlements, or any fees received from their issuance as required by Section 1055.5 or 1055.6 or upon demand by an authorized representative of the department is a misdemeanor.

(b) In addition to subdivision (a), any license agent who fails to remit fees to the department on or before the date required by Section 1055.5 or 1055.6 shall pay interest and penalties prescribed for sales and use taxes and, except as otherwise provided in this code, the department shall collect amounts owing under the procedures prescribed for sales and use taxes provided in Chapter 5 (commencing with Section 6451) and Chapter 6 (commencing with Section 6701) of Part 1 of Division 2 of the Revenue and Taxation Code, insofar as they may be applicable, and for those purposes, "board" means the department.

#### **§1060. Lost or Destroyed Licenses; Affidavit by Agent**

(a) The department or its authorized employees may accept from any bonded license agent an affidavit for settlement on its account in lieu of licenses, permits, reservations, tags, and other entitlements that have been lost or destroyed. The affidavits shall show the value and classification of the licenses, permits, reservations, tags, and other entitlements, their serial numbers, and the causes of loss or destruction.

(b) This section does not apply to licenses, permits, reservations, tags, or other entitlements that are issued through the Automated License Data System.

#### **§12000. Violation of Code - Misdemeanor Unless Otherwise Specified**

Except as expressly provided otherwise in this code, any violation of this code, or of any rule, regulation, or order made or adopted under this code, is a misdemeanor.

#### **§12002. Punishments; Misdemeanors and other Violations**



(a) Unless otherwise provided, the punishment for a violation of this code that is a misdemeanor is a fine of not more than one thousand dollars (\$1,000), imprisonment in the county jail for not more than six months, or both the fine and imprisonment.

(b) The punishment for a violation of any of the following provisions is a fine of not more than two thousand dollars (\$2,000), imprisonment in the county jail for not more than one year, or both the fine and imprisonment:

- (1) Section 1059.
- (2) Subdivision (d) of Section 4004.
- (3) Section 4600.
- (4) Paragraph (1) or (2) of subdivision (a) of Section 5650.
- (5) A first violation of Section 8670.
- (6) Section 10500.
- (7) Section 3005.9.
- (8) A violation of commission regulations that is discovered pursuant to Section 3005.91 or 3005.92.
- (9) Unless a greater punishment is otherwise provided, a violation subject to subdivision (a) of Section 12003.1.

(c) Except as specified in Sections 12001 and 12010, the punishment for violation of Section 3503, 3503.5, 3513, or 3800 is a fine of not more than five thousand dollars (\$5,000), imprisonment in the county jail for not more than six months, or both that fine and that imprisonment.

(d) (1) A license or permit issued pursuant to this code to a defendant who fails to appear at a court hearing for a violation of this code, or who fails to pay a fine imposed pursuant to this code, shall be immediately suspended. The license or permit shall not be reinstated or renewed, and no other license or permit shall be issued to that person pursuant to this code, until the court proceeding is completed or the fine is paid.

(2) This subdivision does not apply to any violation of Section 1052, 1059, 1170, 3005.9, 3005.91, 3005.92, 5650, 5653.9, 6454, 6650, or 6653.5.

## **Title 14 - California Code of Regulations**

### **§705. Hunting and Fishing Licenses, Application for.**

The following procedure shall be followed in issuing hunting or sport fishing licenses:

(a) A hunting or sport fishing license, except as provided in subsection 705 (b), Title 14, CCR, shall contain the following information about the licensee before being issued to the licensee:

- (1) True name
- (2) Residence address
- (3) Date of Birth
- (4) Height
- (5) Color of eyes
- (6) Color of hair
- (7) Weight
- (8) Sex

(b) A sport fishing license issued pursuant to subsections 7149(a)(3) and 7149(c) of the Fish and Game Code shall contain the date of validity.

(c) Notwithstanding the provisions of Fish and Game Code Section 1053, a person may purchase a hunting or sport fishing license, license tags or license stamps for another person, as long as the application contains the licensee's true name and residence address. Prior to using any license or license stamps, the licensee shall complete the application so that it contains all of the information required in subsection (a) above.

### **§706. Hunting and Fishing License, Validation of.**

Except as provided in subsection 705(b) above, every hunting or sport fishing license to be valid shall contain the information required in Section 705 above, and it shall be signed by the licensee and the license shall show the date of issue.

### **§707. Licenses, Certificates, Permits and License Tags, Dating of.**

Except as provided in subsection 705(b) above, every person who issues any license, certificate, permit or license tag authorized by the Fish and Game Code, shall enter in the space provided on the license, certificate, permit or license tag the date it was issued, and when required by the department, shall maintain a record of the date issued in the manner prescribed by the department. Any license agent who issues a permit or license tag shall immediately enter the tag number in the space provided on the appropriate current license.

***DEPARTMENT OF FISH AND GAME MISSION***

*The mission of the Department of Fish and Game is to manage California's diverse, fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public.*